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Subject: Agenda for Today's Agency Coordination Meeting - "2nd Tuesday Coordination mtg"

California EPA Building – Room 320*

Call in Number: (866) 434-5269 Participant code: 392299

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2nd Tuesday Monthly Agency Coordination Meeting

2006 Delta WQCP Update and San Joaquin River Tribs Accord

California EPA Building – Room 320*

Tuesday, November 12th, 2013, 1:00 – 4:00 pm

Call in Number: (866) 434-5269 Participant code: 392299

Meeting Objectives:

1. SWRCB WQCP Update Process – Phase I
 - a. Near Term Agency Coordination for the Re-circulated SED
 - b. Actions by other entities discussion
 - c. BDCP & WQCP Consistency

Tim's Notes: Per Diane, the SED to be re-circulated FEB-MAR 2014. Consultants' extensive technical materials underpinning SALSIM modeling will be available by Thanksgiving 2013 (this work was funded under CalFED's ERP fund); the models themselves have already been released. John wants as many experts as possible to advance SALSIM and HEC5Q, the latter being more challenging for scientists and technocrats. John S. asked about the status of EPA's SALSIM work and I responded saying that the contractual details are being refined and our goal is to build upon the work of the other agencies to arrive at a product that would not have been produced otherwise.

Diane wants to split up Phase 1 and SJR Settlement Process and the Phase 2 process. Discussion ensued about relationship of Phases 1, 2, and the SJR Settlement talks with BDCP. Participants on the call agreed to strive for sequential meetings whereby *this* meeting is shortened so the people already around the table and on the phone could transition easily into a discussion about the potential alignment and/or conflict b/w WQCP and BDCP.

2. SWRCB WQCP Update Process – Phase II
 - a. Workshops, etc

Tim's Notes: Per Diane: DSP's workshops have been tentatively pushed back to FEB 10th-12th and have been restructured to allow the prospective panelists to influence the agenda by providing introductory materials in advance (e.g., "Delta 101", "Delta hydrodynamics") so the panelists can skim important introductory material and focus instead the critical questions that the State Board members need answered to move forward with making decisions.

3. SJR Tributary Settlement Process
 - a. Update – Process and Timeline
 - b. "Restart" of SEP

Tim's Notes: "Process workgroup" a.k.a. "Policy Workgroup" has been meeting every Friday for 1-hour, but fish agencies need to do more to solidify contracts with "science facilitators" (e.g., Eric Ginney, ESA). John Cain (working with Sean McGuire) will continue serving as a facilitator for the Stanislaus River basin. Next meeting slated for 11/21, but it's unclear whether irrigation districts in Oakdale and Stockton will participate given tentative nature of the talks. Plenary meeting planned for 12/11/13. Some stakeholders want to apply the WEAP model to the SJR tributary process.

Stanislaus "sidebar" negotiations are underway among the three fish agencies, 4-5 NGOs, USBR, and water agencies (including Stockton East). USBR wants to continue working with the agencies on the remand process, and on technical models to characterize hydrology and ecology (including releases from New Melones). Current focus is on the relevance of CALSIM to the RPAs of the (NMFS) Biological Opinion. The revised BiOp is at least 6 months away, although modeling information will become available within the next month or two. NMFS and FWS BiOps are on different schedules. BiOp conditions mandated by NMFS (along with VAMP-related conditions) are built into the baseline of alternatives for WQCP Phase 1.

Draft Agenda:

1. Introductions (who's on the phone?)
2. Quick overview of Meeting Objectives & Agenda
3. Phase II – WQCP -- Updates on Workshops (20 minutes)
 - a. Decide on Agency Coordination Strategy Between Phase I and Phase II going forward
4. SJR Trib Settlement Discussion (30 minutes)
 - a. Process Work Group
 - i. Time line, Funding, etc
 - b. Technical Work Group
 - i. Science Evaluation Process
 - ii. Water Management Evaluation Process
 - c. Side Bar Negotiation Process – Stanislaus River
 - d. NGO & Agency Goals and Objectives Process
5. Phase I -- WQCP (90+ minutes)
 - a. Update and Schedule
 - b. Adaptive Management Framework

- i. What's Needed and Timing
- ii. Develop Initial Strawman Proposal
- iii. Set Work Group to work with Board Staff
- iv. Strategy to Coordinate with NGO's Efforts

Tim's Notes:

Per Diane, SWRCB developing "framework" for Adaptive Management Plan (AMP) and they are eager to get specific direction from the regulatory agencies (**within the next 4-6 weeks**). The AMP framework split into two parts – "real time" and "short-term". Agencies need to add enough detail to make the "program of implementation" meaningful, but not too much so that we "open a can of worms" that derails the Phase 1 process. SWRCB wants to avoid the pitfalls surrounding the roll-out of VAMP. SWRCB wants the regulatory agencies to be comfortable with the level of rigor in the AMP, and they want it to support the "sidebar" talks associated with the SJR Settlement process, but they don't want it so restrictive that it "precludes something good that could happen."

Two other noteworthy comments by Diane: (1) State Water Board staff are mindful of the direction of the State Water Action Plan; and (2) the Board will not hold water users accountable for [everything?] just because that would be the fastest way to resolve myriad issues.

John S. (DFW) thinks more detail is needed in the AMP to provide the necessary incentive for the parties to reach settlement on the SJR talks (a regulatory stick, if you will). Ideally, the agencies and NGOs could reach some level of consensus on a strawman for the AMP. Diane said the NGOs are getting close, but time is of the essence. John S. indicated a willingness from DFW to work with TBI to reach a joint consensus between the fish agencies and NGOs on a framework for an AMP. The agencies apparently did some work to build a strawman from content they found in Appendix K of the SED, and a group discussion ensued about convening an interagency workgroup soon to continue building/refining a strawman, and then engage right away with NGOs to reach an interagency/NGO consensus.

John referenced some material developed by DOI regarding adaptive management. Adam said DOI produced a guidance document that might prove applicable to the SJR, and Roger thought it was cited by DOI in comments to the SWRCB (see Williams et al 2010 and then 2012). Adam cautioned that it provides a broad description of adaptive management process ("10,000 foot level"). Reference was made to the adaptive management comments made by FWS in their letter to the SWRCB on the SED (pages 23-30).

Per Roger G. (FWS): We should describe the number of juveniles (or smolt, par, fry) needed in the Stanislaus River basin to contribute to an overall increase of 22,000 salmon on the SJR basin (a specific performance metric). Diane seemed O.K. with this level of detail, but she cautioned about the agencies getting too specific and "wasting" time on the exercise in the event that the Board jettisoned too much specific content.

Ramon M. (FWS) said they were developing objectives, targets, and measures for habitat (e.g., rearing habitat) all designed to contribute to the doubling goal. Diane responded saying that the doubling objective is still important for the Board despite it being struck from the Phase 1 objective (!) because the doubling objective should apply to the larger system not just the tributaries [note from Tim: **did I hear that correctly?**]. Diane asked the agencies to weigh-in on

the appropriate timeframe and benchmarks to measuring progress toward the objective. Ramon said FWS favored a "10-year timestep", but another person cautioned that one-size does not fit all. Diane mentioned that she talked to Jon Rosenfield about tying performance targets to annual hydrological conditions.

The group discussed the distinction between the Settlement Process (concerned with targets for 12-month cycle) whereas the SWRCB is focused only on the 5-month cycle in the SED. Once Tim referenced EPA's long-standing aim to establish year-round estuarine standards, Diane replied that **SWRCB will not address EPA's call for a year-round approach for Phase 1 (12 month cycle)** because it would put SWRCB back at the starting point and constitute a major delay in the WQCP process. Instead, Diane recommended that EPA focus on weaving its recommendation into the program of implementation and look for ways that the 5-month cycle could be expanded to a 12-month cycle (e.g., FERC processes, future SWRCB decisions). Tim said he didn't want to distract too much from the conversation at hand, but said this was a key issue that SWRCB and EPA needed to resolve in a different venue and soon.

From: Foresman, Erin
Sent: Tuesday, November 12, 2013 9:45 AM
To: Vendlinski, Tim
Cc: Cabrera-Stagno, Valentina
Subject: Agenda for Today's Agency Coordination Meeting - "2nd Tuesday Coordination mtg"

Hey Tim,

There was a pre-meeting for the 1:00 interagency meeting last Friday with a small group (the same group that met with Tam about adaptive management a few months back). Today's agenda is way down in the email below these notes from Valentina documenting what was discussed at last week's pre-meeting. It might be helpful to print this email and the one I sent to Diane. That way you'll have all the material right in front of you, phone numbers, agendas, notes, etc...

I know it is a lot to keep track of but you should read these before talking to Diane at 12:30 and joining the 1:00 call. You'll see we need to understand if Jon Rosenfield's quantitative targets for salmon life stages on the Stan are being used for an adaptive management framework or the definition of viable for the objective. Both? I don't know. I mentioned these Stan targets in my email to Diane in reference to the narrative objective so she will be prepared to discuss whether or not that is specifically an adaptive management thing or could be incorporated into the objective through the definition of viable. I highlighted some bits of the notes that seem v. important regarding timing or other things.

- Diane mentioned the enviros are talking about sending them something for adaptive management framework.
- John Shelton says they've been working on it with TBI and it might just be the criteria part.
- Diane says they need the structure also not just the criteria. **She says they need things in the next month or month and a half in order to start briefing the board members.**
- Diane says they are thinking of using some of the water from the Feb-Jun time period to mitigate for temperature in other times of the year. They did some modeling and found some issues.
- There was a long discussion about how SB is looking for details like the triggers that people would recommend.
- Diane says that Jon Rosenfeld recommended something that was out of the time frame, i.e. things that impact biota year round rather than just in the feb-june timeframe. She is finding it hard to define an adaptive management trigger that is impacted by the short window of time. She acknowledged that all of us on the phone want a year round standard.

- She really sounded apologetic that it was not the ideal scope.
- Diane can send an example to bat around on next week's call.
- She really emphasized she needs details to have something useful.
- Ramon apparently has a spreadsheet model of the survival in the last 13 year period across several sampling points on the Stanislaus and back calculated how much flow you need to achieve the doubling goal. They would want to also have estimates on how much habitat you need to get there. Start with flow then start habitat projects and then if you see benefits from habitat that can replace flow you can reduce flows.
- Diane talked about having an adaptive management framework that made it clear the agencies are in charge of shaping the curve not the water users. Yay! (unless I mis-heard)
- They talked about having Jon Rosenfeld report out on what he had so far on next Tuesday's call. (Erin here, not Valentina's notes, Jon did this yesterday by email, I'll forward it to you).
- Diane says she wants to use the agencies' expertise and not necessarily get the agencies' endorsements which might be harder to do. So she wants a working session to bat around ideas of how to do the adaptive management with the experts.
- Salsim and HEC5Q are being used for the remand process on the Stanislaus. A few more experts on this now. Bob Burns (NMFS) Kristin White (Bureau). Using it for looking at ESA issues so slightly different focus but still very relevant.

